

CITY of BURIEN
Department of Community Development

Interpretation # 02-02

Subject: Real Estate Signs (BMC 19.30.080)

Interpretation: BMC 19.30.080 addressing real estate signs does not specify what type of signs are allowed or prohibited. It is my interpretation that:

1. A-frame, t-frame or similar portable or moveable signs are allowed for “individual dwelling unit, off-site” real estate signs (BMC 19.30.080.2).
2. The “directional arrow sign, off-site” allowed in BMC 19.30.080.5 is by its very nature meant to be portable or movable, and is therefore, allowed.
3. A “promotional banner” may be used pursuant to a Special Event Sign Permit in non-residential zones only (pursuant to table 19.30-1). They are not allowed in conjunction with real estate sales, rental or leasing activities in residential zones.

Findings of Fact:

- *The defined or common meaning of the words of the provision:*

Regulations on the real estate signs addressed in BMC 19.30.080 were written to reflect standard sizes and types of signs.

- BMC 19.30.080.1: The regulations for the “individual dwelling unit, on-site” sign were written so that a common residential real estate sign was allowed (wood post with real estate sign hung on a crossbar at or near the top of the post).
- BMC 19.30.080.2: The regulations for “individual dwelling unit, off-site” signs were written so that the commonly used a-frame portable open house sign was allowed.
- BMC 19.30.080.3: The regulations for the “residential projects, on-site” sign were written so that a common project-related sign was allowed (such as a single large painted plywood sign advertising an apartment complex for rent or subdivision lots for sale).
- BMC 19.30.080.4: The regulations for the “residential on-site informational” signs were written so that individual signs promoting site amenities and information could be allowed.
- BMC 19.30.080.5: The regulations for “directional arrow sign, off-site” were written so that the commonly used small arrow directing people to homes for sale, lease or rent was allowed.
- BMC 19.30.080.6: The regulations for the “non-residential, on-site” sign were written so that a common non-residential real estate sign was allowed (such as a single large painted plywood sign advertising commercial space for lease or a building for sale).

- *The general purpose of the provision as expressed in the provision.*

There is no purpose and intent statement for this section of the zoning code. However, the general purpose of the sign code (BMC 19.30.020) addresses the need for effective identification; protection of public health, safety and welfare; promoting a positive, vital image; enhancing the aesthetic appearance of the city; and encouraging installation of quality signs.

- *The logical or likely meaning of the provision viewed in relation to the Comprehensive Plan and applicable purpose and intent statements in this Code.*

There are other code sections that provide insight into the types of real estate signs that should be allowed:

- BMC 19.30.040.1 lists prohibited signs.
- Table 19.30-1 allows promotional banners only in non-residential zones, for limited display through a Special Event Sign Permit.

Conclusions:

Unlike other sign code sections, the real estate sign section does not specify what type of signs are allowed. However, as noted above, the type of allowable signs can be implied from the regulations. A major policy decision of the City Council in the weeks before this code was adopted was to continue the city's previous ban on a-frame and similar portable signs. Under the previous ban, a-frame signs and portable directional arrow signs were allowed. It was clearly the City Council's intent to allow a-frame and similar portable signs to be used for typical residential "open house" activities. By the inclusion of a specific regulation on directional arrow signs, it was clearly the City Council's intent to allow such small portable signs that meet the regulations.

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Date